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PATENT  
Attorney Docket 045636-5033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Quang Tri Nguyen et al.** ) Confirmation No. **1376**  
Application No. **09/555,640** ) Group Art Unit: **1648**  
Filed: **August 10, 2000** ) Examiner: **Jeffrey S. Parkin**  
Title: **Erthrovirus and Its Applications** )

U.S. Patent and Trademark Office  
Customer Service Window, **Mail Stop Amendment**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**TRANSMITTAL FORM**

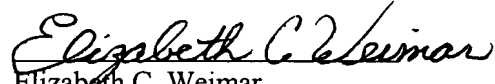
- Transmitted herewith is an Amendment and Response Under 37 C.F.R. 1.111 to in response to the Ex Parte Quayle action dated February 7, 2007.
- Extension of Time: Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- Fee Calculation (37 C.F.R. 1.16):

CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	32	minus	40	0	\$50 each=	0.00
Independent Claims	10	minus	11	0	\$200 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
Sub-total =						0.00
Reduction by ½ for filing by a small entity						0.00
Total Fee =						\$0.00

- Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **April 5, 2007**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
Elizabeth C. Weimar,  
Registration No. 44,478



PATENT  
Attorney Docket No. 045636-5033-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: <b>Nguyen, Q. T. <i>et al.</i></b>	)	
	)	
Application No. <b>09/555,640</b>	)	Group Art Unit: <b>1648</b>
	)	
Filed: <b>August 10, 2000</b>	)	Examiner: <b>Parkin, J.</b>
	)	
For: <b>Erythrovirus and Its Applications</b>	)	

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. 1.111**

This paper responds to the Office Action, dated February 7, 2007 that set a two month time period for filing of a response. No extension of time is believed due in that this amendment is filed April 5, 2007.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 8 of this paper.